BILL NO. Z-82-06-23

 ZONING MAP ORDINANCE NO. Z- /5-80)

Councilmember

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H-15.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-1 (Light Industrial) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

5.00 acres in the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 30 North, Range 12 East, in Allen County, Indiana, more particularly described as follows:

Commencing 803.88 feet East and 411.0 feet South of the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 30 North, Range 12 East in Allen County, Indiana; thence East 238.0 feet; thence South 913.62 feet; thence West 240.02 feet; thence North 913.62 feet to the place of beginning, containing 5.00 acres of land, more or less, subject to all legal roads and highways,

and the symbols of the City of Fort Wayne Zoning Map No. H-15, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana, are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and the legal publication thereof.

APPROVED AS TO FORM

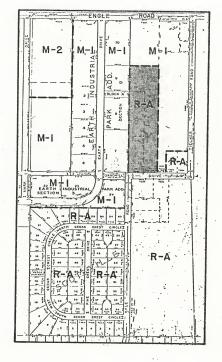
Bruce O. Boxberger/ City Attorney

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			WIN MOSES, S	IR MAYOF	

CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING	Nº 7247
FT. WAYNE, IND., 4/27 1982	
RECEIVED FROM The natural forces	\$50,00
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Authorized sig	nature / 121
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REQUEST TO CHANGE FROM R-A
TO M-I ZONING

MAP NO. H-I5

Z-82-06-23

PETITION FOR ZUNING UKDINANCE AMENDMENT

RECEIPT NO.

THIS IS TO BE FILED IN DUPLICATE	DATE FILED
	INTENDED USE
I/WW HARRY P. LAFFKAS	
	Name or Names)
do hereby petition your Honorable Body Indiana, by reclassifying from a/an District the property described as follo	to amend the Zoning Map of Fort Wayne R-A District to a/an M-1 ows:
(See attachment)	
•	
(Legal Descrption) If additional space	is needed, use reverse side.
Five (5) acre tract	near corner of Kyle and
Sandhill Drive in For	t Wayne, Indiana.
(General Description for Planning Staff	Use Only)
I/WW, the undersigned, certify that I am percentum (51%) or more of the property	n/MAXXXXXX the owner(XX) of fifty-one described in this petition.
HARRY P. LAFFKAS 4430 Tielke	1 10 1/1/ -
	Indiana 46809
(Name) (Addre	ess) (Signature)
(If additional space is needed, use reve	erse side.)
Legal Description checked by	
NOTE FOLLOWING RULES	
continuance or request that ordinances is prior to the publication of the legal ac Commission staff shall not put the matter it was to be considered. The Plan Commistrom petitioners for deferrals, continue ordinance be taken under advisement, aft is forwarded to the newspaper for legal for hearing before the City Plan Commiss Name and address of the preparer, attorn THOMAS S. LOCKE 520 South Ca	el be filed in writing and be submitted e legal notice pertaining to the ordinance belication. If the request for deferral be taken under advisement is received le being published the head of the Plan or on the agenda for the meeting at which ission staff will not accept request unces, withdrawals, or requests that an err the legal notice of said ordinance publication but shall schedule the matterion. (FILING FEE \$50.00) mey or agent.
ATTORNEY AT LAW Fort Wayne (Address	Indiana 46802 (Telephone Number)
COMMUNITY DEVELOPMENT AND PLANNING / Div and (CITY PLAN COMMISSION) / Room #830, Fort Wayne, IN 46802 (PHONE: 219/423-	City-County Building, One Main Street,

Applicants, Property owners and preparer shall be notified of the Public Hearin approximately ten (10) days prior to the meeting.

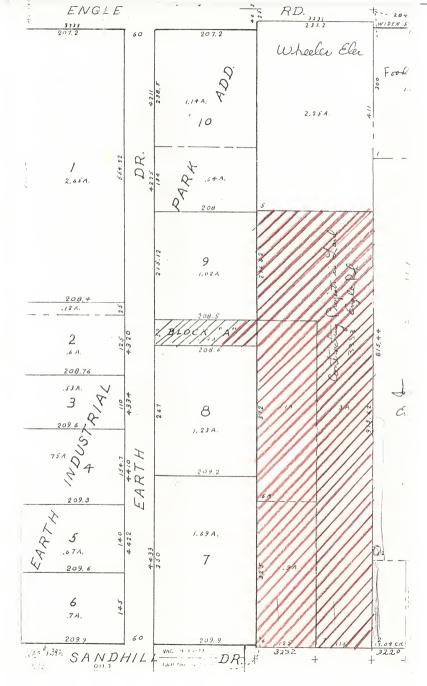
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Legal Description of property to be rezoned.						

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE
This form is to be filed in duplicate.

ATTACHMENT TO PETITION OF HARRY P. LAFFKAS

5.00 acres in the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 30 North, Range 12 East, in Allen County, Indiana, described as follows, to-wit:

Commencing 803.88 feet East and 411.0 feet South of the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 30 North, Range 12 East in Allen County, Indiana; thence East 238.0 feet; thence South 913.62 feet; thence west 240.02 feet; thence North 913.62 feet to the place of beginning, containing 5.00 acres of land, more or less, subject to all legal roads and highways.





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802 city plan commission

1 July 1982

Members of the Common Council City-County Building One Main Street Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held June 28, 1982. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

- 1. Bill No. Z-82-06-23
- 2. From RA to M1
- 3. Intended Use: Not Given
- 4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

a. This rezoning is a logical extension of the M-1 zoning in this area.

If there are any questions with regard to this ordinance please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary D. Baeten Senior Planner

GFB:pb

Attachment

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 22, 1982, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as bill No. Z-82-06-23; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 11, 1982;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend by a motion by Robert Hutner, seconded by Darrell Blanton that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood:
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the variance is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and correct copy of a resolution adopted at the meeting of the Fort Wayne City Pyan Commission held June 28, 1982.

Dennis J. Secretary

Certified and signed this 1st day of July 1982.

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3 - 82 - 06-23
DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&p
SYNOPSIS OF ORDINANCE A five acre parcel located near the corner of Kyle and
Sandhill Roads.
9
EFFECT OF PASSAGEProperty is now zoned RA - Suburuban Residential. Property will become M-1 - Light Industrial.
EFFECT OF NON-PASSAGE Property will remain RA - Suburban Residential.
MONEY INVOLVED (Direct Costs, Expenditures, Savings)
ASSIGNED TO COMMITTEE (J.N.)



The City of Fort Wayne

OFFICE OF THE CITY CLERK

Charles W. Westerman, Clerk — Room 122

July 14, 1982

Ms. Judy High Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, IN 46802

Dear Ms. High:

Please give the attached full coverage on the dates of July 21 and July 28, 1982, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, Indinaa

Bill No. Z-82-06-23 Zoning Map Ordinance No. Z-15-82

Bill No. G-82-04-17 General Ordinance No. G-14-82

Bill No. S-82-06-28 Special Ordinance No. S-119-82

Please send us 14 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

City Clerk

CWW/ne ENCL: 1 Notice is hereby given that on the 13th day of July, 1982, athe Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the follwoing Bill No. Z-82-06-23 -- Zoning Map Ordinance No. Z-15-82 -- AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H-15

Notice is hereby given that on the lath day of July, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-82-04-17 -- General Ordinance No. G-14-82-- AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain easement

Notice is hereby given that on the 13th day of July, 1982, the Common Council of thecity of Fort Wayne, Indiana, in Regular Sssion did pass the following Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 -- AN ORDINANCE approving Resoltuion No. 72-10-35, Optional Cash Payment in Lieu of Monthly Special Capital Surcharge Payments, for the Board of Public Works

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-82-06-23 -- Zoning Map Ordinance Z-15-82; Bill No. G-82-04-17 -- General Ordinance No. G-14-82 and Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 were passed by the Common Council on the 13th day of July, 1982, and said Ordinances were signed and approved by the Mayor on the 14th day of July, 1982, and remains on file and on record in my office.

Copies of Bill No. Z-82-06-23 -- Zoning Map Ordinance No. Z-15-82; Bill No. G-82-04-17 -- General Ordinance No. G-14-82 and Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of Downtown

Fort Wayne Public Library

(3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-82-06-23 -- Zoning Map Ordinance No. Z-15-82; Bill No. G-82-04-17 -- General Ordinance No. G-14-82 and Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 will be available for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) Reference Room in the north end of the the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

 Charle W. Wisconson,

Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on July 21, 1982.

Charles W. Westerman, City Clerk

For		Board of Accounts e Common Council	1	General Form No. 99 P (Rev. 1
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Form Prescribed by State Bo			General Form No. 99 P(Rev. 1967)
	Common Council	То	NEWS-SENTINEL Dr
(Governme	ental Unit)		
Allen	County, Ind		FORT WAYNE, INDIANA
	1	PUBLISHER'S CLAIM	
LINE COUNT			
Display Matte	er (Must not exceed two actual li	nes, neither of which shall total more than dvertisement is set) – number of equivalen	four solid lines
	mber of lines		1
Body nur	mber of lines		86
Tail num	ber of lines		22
	al number of lines in notice		89
COMPUTION OF CHARC			
89	lines,	vide equalsequivalent lines	at .300¢ <u>\$26.70</u>
Additional cha	arge for notices containing rule or	r tabular work (50 per cent of above amour	nt)
Charge for ext	ra proofs of publication (50 cents	i for each proof in excess of two) 12 ∈	xtra 6.00
	AL AMOUNT OF CLAIM.	,	32.70
DATA FOR COMPUTING	GCOST		
Width of sing	gle column 9.6 picas	Size of type6	point
Number of in	sertions2	Size of quad upon which type is	casr6
Pursuant to the provision and	d penalties of Ch. 89., Acts 1967.		
·		a . d= 11	alleria all'incordina del del companyo del companyo
has been paid.			r allowing all just credits, and that no part of the same
	signed end epproved by the Meyor on the 14th day of July, 1982, and remains on file and on record in my office.	1	D Roose
Date July 28	office. Copies of Bill No. Z-82-08-23 — Zoning Map Ordinence No. Z-15- 82; Bill No. G-82-04-17 — General Ordinence No. G-14-92 end Bill No. S-82-06-28 — Special Ordi- nance No. S-119-82 will be posted for reeding in the following places in Fort Weyne, Allen County, Indi-	Tjel	c CLERK
Form	nance No. S-119-82 will be posted for reeding in the following places in Fort Weyne, Allen County, Indi-	PUBLISHER'S AFFIDAVIT	
	(1) The main floor of the City- County Building (2) The bulletin board in the	y SS:	lic in and for said county and state, the
	(1) The main floor of the City- County Building (2) The building (2) The building (2) The building to the lobby of Downtown Fort Wayne Public Library (3) The Building to the Allen County Court House County Court House (2) 40-62 a — 20 — 20 — 20 — 20 — 20 — 20 — 20 —	D. ROOSE	who, being duly sworn, say
	County Court House Copies of Bill No. Z-82-06-23 —	CLERK	of the
LEGAL NOTICE Notice is hereby given that on a 13th day of July, 1982, the	82; Bill No. G-82-04-17 — Generel Ordinance No. G-14-82 and Bill	NEWS-SENTINEL DAILY	ewspaper of general circulation printed and published
Notice is hereby given thet on e 13th day of July, 1982, the ommon Council of the City of kt Wayne, Indiane, in Reguler ssion did pess the following Bill 5. 2-92-06-23 — Zoning Mep Or-nerce No. Z-15-82 — AN ORDI-	Copies of Bill No. 2-92-00-23 — Zoning Mep Ordinance No. 2-15-82; Bill No. G-82-04-17 — Generel Ordinance No. G-14-92 and Bill No. S-92-06-29 — Special Ordi- nance No. S-119-92 will be avail- eble for reading in the following places in Fort Wayne, Allen County, Indiana.	language in the city of FORT	WAYNE, INDIANA
o. Z-82-06-23 — Zoning Mep Or- nence No. Z-15-82 — AN ORDI- ANCE emending the City of Fort	County, Indiana. (1) Reference Room in the north end of the mein floor in sald	town d county aforesaid, and that the p	
ayne Zoning Map No. H-15. Notice is hereby given that on e 13th day of July, 1982, the	(1) Reference Room in the north end of the mein floor in said Downtown Public Librery (2) The Journel of the Common Council Proceedings in the Office of the City Clerk of Fort Weyne, Indiene	ly published in said paper for	rinted matter attached hereto is a true copy, times ,the dates of publication being
ommon Council of the City of ort Weyne, Indiens, in Reguler assion did pess the following Bill	of the City Clerk of Fort Weyne, In- diene Cherles W. Westermen,	7/21 - 7/28/82	
ANCE emending energl Ordinate No. G-92 by guilbox	Cherles W. Westermen, I, Cherles W. Westerman, Clerk of the City of Fort Wayne, Indene, fulffilled and posted the above ord- nences in the designated pleces as steted on July 21, 1982. Cherles W. Westermen, City Clerk		200
cetion of e certein easement. Notice is hereby given that on	nences in the designated pleces as steted on July 21, 1982. Cherise W Westerman	28th	dust July 19 32
e 13th dey of July, 1982, the ommon Council of the City of lart Weyne, Indiana, in Reguler	Chéries W. Westermen, City Clerk	d sworn to before me this 20011	me M. Parkins
o. S-82-06-28 — Special Ordi- Ince No. S-119-82 — AN ORDI-		November 29	1985 Notary Public
10.25 Optional Cash Payment	My commis	sion expires	Annual Comments of the Comment

cents per line Additional charge for notices containing rule or tabular work (50 p Charge for extra proofs of publication (50 cents for each proof in et TOTAL AMOUNT OF CLAIM. DATA FOR COMPUTING COST Width of single column 9.6 picas Size of typ	ich shall total more than four solid lines - number of equivalent lines 1 86 2 89 40.70
PUBLISHER LINE COUNT Display Matter (Must not exceed two actual lines, neither of while of the type in which the body of the advertisement is set) Head number of lines Body number of lines Tail number of lines Total number of lines in notice COMPUTION OF CHARGES 89 lines, 1 columns wide equals cents per line Additional charge for notices containing rule or tabular work (30 p Charge for extra proofs of publication (30 cents for each proof in entropy of the columns) TOTAL AMOUNT OF CLAIM. DATA FOR COMPUTING COST Width of single column 9.6 picas Size of typ Number of insertions 2 Size of typ	ch shall total more than four solid lines - number of equivalent lines 1 86 2 89 equivalent lines at .300¢ per cent of above amount) excess of two) 12 extra 6.00 32.70
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ereby certify that the foregoing account is just and correct, that the amount clai s been paid.	imed is legally due, after allowing all just credits, and that no part of th
	D Roose
July 28	TitleCLERK
Form 903 PUBLISHER'S AI	FFIDAVIT
ALLEN County SS:	me, a notary public in and for said county and state,
Pers undersigned	D. ROOSE
that she is	CLERK NEL
LEGAL NOTICE	newspaper of general circulation printed and pub
Nayne, Indiene, in Rt in the English language in the ci nordid pess the following town town town town town town town town	
in state and county aforesai be Zoning Map No. H-15 tice is hereby given it	d paper forthe printed matter attached hereto is a true
ist day of July, 198 mon Council of the twenty, Indiana, in F Weyne, Indiane, in F on did pass the follow	
3-82-04-17 — Genera N & C DE emending Genera	\rightarrow ρ
lon of e certein essemitice is hereby given	Donne 1320
13th day of July, 19 Subscribed and sworn to before a Weyne, Indiene, in	me this 28th day July 19
on did pess the following Bill 5-82-06-28 — Speciel Ordi- No S-119-82 — MORDI-	Notar Public
	November 29, 1985
ize No. S119-82 — AN ORDI- CGE epproving Resolution No. 0-35, Optional Ceah Peyment eu of Monthly Special Capriet harge Payments, for the Bourd	
CE exproving Resolution No. 3-85, Optional Coen Peyment as of My commission expires	
CE egoronic Beschiden No. My commission expires. My	